

AMENDED IN ASSEMBLY APRIL 10, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1034

Introduced by Assembly Member Keene

February 22, 2007

~~An act to amend Section 133 of the Water Code, relating to water.~~
~~An act to add Section 512.7 to the Labor Code, relating to employment.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1034, as amended, Keene. ~~Water.~~ *Meal periods: transportation industry.*

Existing law prohibits an employer from requiring an employee to work during any meal or rest period mandated by an order of the Industrial Welfare Commission and establishes penalties for an employer's failure to provide a mandated meal or rest period.

This bill would permit parties in the transportation industry, under a valid collective bargaining agreement, to establish an off-duty meal period that commences after not more than 6 hours of work and the circumstances for on-duty meals by commercial drivers.

~~Under existing law, the Department of Water Resources operates the State Water Project, which includes state water facilities, as defined. Existing law authorizes the department to cooperate and contract with any other state agency, or with a federal agency, in order to carry out its powers and purposes.~~

~~This bill would make technical, nonsubstantive changes in a provision relating to the powers of the department.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 512.7 is added to the Labor Code, to read:*

2 *512.7. (a) In the transportation industry, the parties to a valid*
3 *collective bargaining agreement covering commercial drivers may*
4 *establish, by the express terms of that agreement, the following:*

5 *(1) An off-duty meal period that commences after not more than*
6 *six hours of work.*

7 *(2) The circumstances under which commercial drivers may*
8 *qualify for an on-duty meal period.*

9 *(b) Except as to terms that the parties establish pursuant to*
10 *subdivision (a), employers in the transportation industry shall*
11 *provide off-duty and on-duty meal periods in accordance with*
12 *Section 512 and the applicable provisions of Wage Order 9 of the*
13 *Industrial Welfare Commission.*

14 ~~SECTION 1. Section 133 of the Water Code is amended to~~
15 ~~read:~~

16 ~~133. The department may cooperate with, and contract with,~~
17 ~~any agency of the state or of the United States in order to carry~~
18 ~~out its powers and purposes.~~